

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
FORT WAYNE DIVISION**

DAVID W. NAIL,)	
)	
Plaintiff,)	
)	
vs.)	CAUSE NO. 1:06-CV-292 PS
)	
J.C. GUTIERREZ, <i>et al.</i> ,)	
)	
Defendants.)	

OPINION AND ORDER

David W. Nail, a *pro se* prisoner, filed his discovery requests with the court in accordance with N.D. Ind. L.R. 26.2(e). However, Mr. Nail's discovery requests do not contain a certificate of service indicating that they were properly served upon the defendants. The court has previously advised Mr. Nail that Fed. R. Civ. P. 5(b)(1) requires that a certificate of service be attached to any filing with the court. On January 16, 2007, the court advised Mr. Nail that the court would strike any filings that did not contain the appropriate certificate of service. Because Mr. Nail has not complied with Rule 5(b)(1), the court **STRIKES** his discovery requests. Mr. Nail may re-file his discovery requests in accordance with Rule 5(b)(1).

SO ORDERED on March 5th, 2007.

s/Roger B. Cosbey
United States Magistrate Judge